

EXHIBIT 8

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EXPERT REPORT

**Analysis of Distributor Regulatory Compliance
to Maintain Effective Controls for the Prevention of
Diversion of Controlled Substances on behalf of the City of
Huntington and Cabell County, West Virginia**

Prepared by

James E. Rafalski
37637 Five Mile Road #278
Livonia, MI 48154

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8	WV	Cabell	96,037	23,412,160	51,852,360	75,264,520	87.08
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In addition to the excessive distributions into Cabell County/Huntington and West Virginia, the Defendants were aware that an influx of even more opioids were making their way into West Virginia from Florida and other states via the route often referred to as the “Oxy Express” or “Blue Highway.” Since at least the late 2000’s, residents of the Appalachia region have traveled to Florida to obtain prescription opioids in Florida and bring them back to their home area for illicit purposes. The pills could be sold in the region for many times what they were purchased for in Florida. Documents produced by Plaintiffs show that the pills from Florida made their way into Cabell County and Huntington.

- A 2012 Huntington Police Department Threat Assessment and Strategy Summary stated that:

In 2011, scores of residents in an around Huntington travelled out of the area, mainly to south Florida, to obtain thousands of dosage units of strong narcotic and other prescription drugs and transported them back to Huntington for use and distribution.¹³⁴

- In 2012 the Huntington Police Department advised that:

Looking at prescription drugs a new variation of the Oxy family of drugs with a brand name of Opana (Oxymorphone) has increased in popularity over the past year. Huntington has seen multiple overdose deaths due to Opana during this time. Most of the prescription medications are trafficked through Florida, into Kentucky and Ohio, then onto West Virginia.¹³⁵

- In March 2009, the Cabell County Sheriff’s Department arrested individuals with \$20,000 worth of Oxycodone (at least 548 pills) and receipts showing subjects had been to pain clinics in Fort Lauderdale, FL.¹³⁶
- In November 2009, the Cabell County Sheriff’s Department located a woman who was reported missing after traveling to Florida with a man to obtain Oxycodone pills. She was located at a local motel with large amounts of cash, a card from a pain clinic in Florida, driving directions to Florida, a pharmacy receipt from Florida, and multiple bottles of prescription pills including Roxicodone and Xanax. The daughter admitted to driving to Florida to obtain pain medication on multiple occasions.¹³⁷

¹³⁴ HUNT_00286731.

¹³⁵ HUNT_00029464.

¹³⁶ CCDS_0044668.

¹³⁷ CCDS_0029884.

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- In April 2010, Huntington Police Department arrested a man with three partially full pill bottles in his possession for 60 2mg Alprazolam, 90 15mg Roxycodone, and 180 30mg Oxycodone pills. The prescriptions for the pills were filled the day before his arrest at a pain clinic in Florida. The man stated that he traveled to Florida every month to refill his prescriptions.¹³⁸
- In September 2010, the Cabell County Sheriff's Drug Task Force executed a search warrant looking for prescription painkillers and found quantities of Oxycodone, Florida pain clinic business cards, driving directions to Florida pain clinics, 60 pill bottles, and over \$13,000 in cash.¹³⁹ Evidence showed that over the course of 6 months the arrestees obtained over 4,300 controlled substance pills by getting prescriptions from Florida pain clinics with 90 percent of the prescriptions being written by one Florida doctor.¹⁴⁰
- In December 2011, the Barboursville Police Department Drug Unit arrested a man and found Oxycodone and Oxymorphone prescription pills. The man arrested admitted to being sponsored for a trip to Florida in order to get pills from pain clinics in return for cash payments.¹⁴¹

Defendants were aware of the problem with pills migrating from Florida into Plaintiffs' area. In an October 2010 Cardinal QRA Compliance presentation, the presenter notes that "what is happening in the marketplace" is that pills "sold on the streets of Central Florida" it could "make its way north" and be sold for four times as much.¹⁴² The same month, Cardinal VP of Anti-Diversion Michael Moné forwarded an article to Gilberto Quintero, Senior VP of QRA, pointing out a "key statement" that "49 of the top 50 dispensing doctors of oxycodone in the nation were in Florida."¹⁴³

McKesson identified Florida as the state with the highest oxycodone dispensing in 2012.¹⁴⁴ In the same presentation, McKesson included a map showing the path of "Drug Diversion Migration Out of Florida" and into states bordering West Virginia.¹⁴⁵

¹³⁸ HUNT_00263760.

¹³⁹ CCDS_0028875.

¹⁴⁰ CCIRC_0303373, CCIRC_0303340.

¹⁴¹ HUNT_00730154 .

¹⁴² CAH_ALASKA_00190590, 597.

¹⁴³ CAH_MDL2804_01103870.

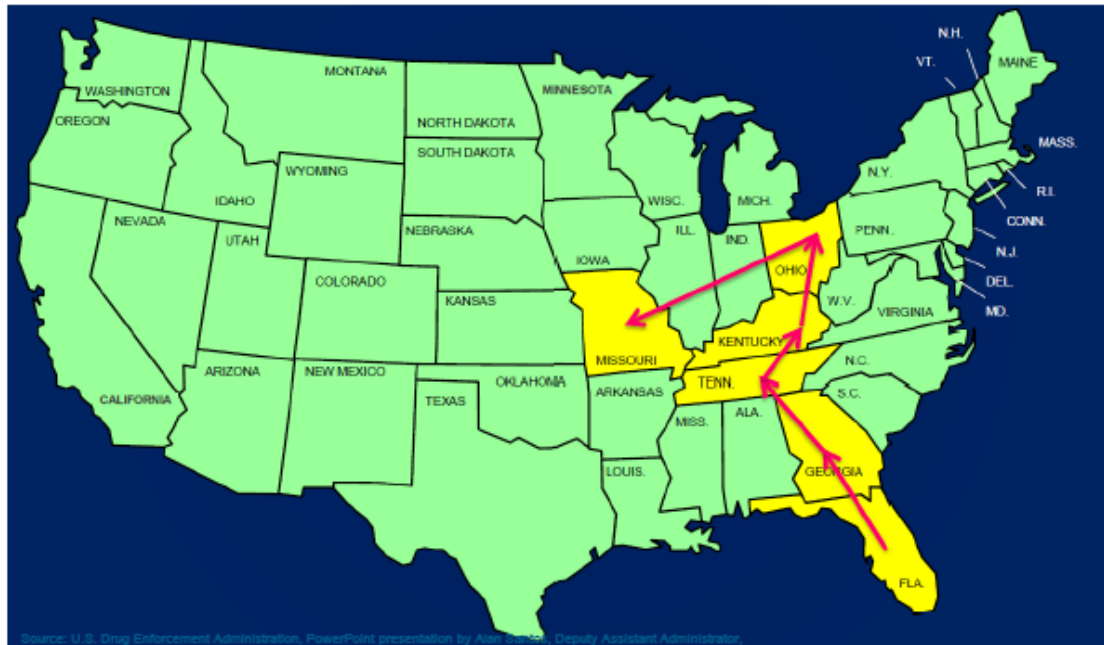
¹⁴⁴ MCKMDL00407451, 460.

¹⁴⁵ *Id.* At 465.

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Drug Diversion Migration Out of Florida*



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AmerisourceBergen Director of Diversion Control and Security, Edward Hazewski, testified that he became aware of the problem of pills migrating from Florida into West Virginia as early as 2008 when he became manager of AmerisourceBergen's diversion control team.¹⁴⁶ AmerisourceBergen's corporate designee, Christopher Zimmerman, testified that the company was aware of the problem of pill migration as early as 2007, as shown by a comic strip included in an AmerisourceBergen presentation on its "Diversion Control Program."¹⁴⁷

VI. REGISTRANT SUSPICIOUS ORDER MONITORING SYSTEMS (SOMS)

I have been asked to review the documents produced in this litigation to determine whether the distributors complied with the statutory and regulatory duties outlined above. In this process, I have reviewed numerous documents and depositions for each of the enumerated Defendants. Based on my review it is my opinion to a reasonable degree of professional certainty that each of the distributors failed to comply with their statutory and regulatory duty to maintain effective controls to prevent diversion and to design and operate a system to identify and report suspicious orders.

¹⁴⁶ Depo. of Edward Hazewski, 71:8-72:10.

¹⁴⁷ ABDCMDL00000124, 14; Depo. of Christopher Zimmerman, 336:13-336:24, 407:1-14